UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GILBERT NARVAEZ	:	
	:	
v.	:	CIVIL ACTION NO. 15-cv-01471
	:	
CITY OF PHILADELPHIA and	:	
OFFICER CHRISTOPHER HULMES	:	**JURY TRIAL DEMANDED**

ORDER

AND NOW, this day of , 2016, upon consideration of the within Motion for Stay of the Proceedings and any and all responses thereto, Defendant Hulmes' Motion For Stay of Civil Matter is GRANTED, and it is hereby ORDERED and DECREED that all proceedings in this action shall be stayed and placed in SUSPENSE.

BY THE COURT:

______________________________ J.

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GILBERT NARVAEZ	:	
	:	
v.	:	CIVIL ACTION NO. 15-cv-01471
	:	
CITY OF PHILADELPHIA and	:	
OFFICER CHRISTOPHER HULMES	:	**JURY TRIAL DEMANDED**

DEFENDANT POLICE OFFICER HULMES'
MOTION FOR STAY OF CIVIL MATTER UNTIL FINAL RESOLUTION OF THE ROWLAND CRIMINAL MATTER

Defendant, Police Officer Christopher Hulmes ("Defendant Hulmes"), by and through his attorneys, Marshall Dennehey Warner Coleman & Goggin, hereby submits the instant Motion for Stay of Civil Matter Until Final Resolution of the Rowland Criminal Matter. Under the Accelerated Rehabilative Disposition ("ARD") program, participants' criminal matters remain open until successfully completed. If participants violate any term or condition of ARD, they can and will be prosecuted for their original criminal charges. For the reasons discussed in the attached memorandum of law, Defendants Hulmes requests that the Honorable Court place this matter back into civil suspense until he completes his ARD terms and condition of 12 months probation.

Respectfully submitted,

MARSHALL, DENNEHEY, WARNER, COLEMAN & GOGGIN

BY:____________________
JOHN P. GONZALES, ESQ.
Attorney for Defendant
Police Officer Hulmes

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GILBERT NARVAEZ	:	
	:	
v.	:	CIVIL ACTION NO. 15-cv-01471
	:	
CITY OF PHILADELPHIA and	:	
OFFICER CHRISTOPHER HULMES	:	**JURY TRIAL DEMANDED**

MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT POLICE OFFICER HULMES' MOTION FOR STAY OF CIVIL MATTER UNTIL FINAL RESOLUTION OF THE ROWLAND CRIMINAL MATTER

I. INTRODUCTION

Defendant Hulmes, a former Philadelphia Police Officer with 18 years of experience in narcotics, is participating in the Accelerated Rehabilitative Disposition program ("ARD") due to his testimony during a suppression hearing regarding the May 2010 narcotics and firearms investigation, arrest, and search warrant of Arthur Rowland ("Rowland Criminal Matter"). Ex. A (Defendant Hulmes' criminal docket CP-51-CR-9937-2015). On June 17, 2016, Defendant Hulmes entered into the ARD program. Under the ARD program, he must successfully complete 12 months probation. Once he completes his 12 months probation, the Rowland Criminal Matter will be resolved. If he violates any term, the Philadelphia District Attorney's Office can prosecute him for the Rowland Criminal Matter, for which he would face over 10 years of incarceration if convicted of all alleged crimes and receives consecutive sentences. For the reasons described below, Defendant Hulmes moves this Court to place this lawsuit back in suspense until the Rowland Criminal Matter is resolved: upon successful completion of ARD.

II. FACTS

1. Plaintiff's Lawsuit is Based on Rowland Criminal Matter.

Plaintiff Gilbert Narvaez filed this civil rights lawsuit alleging that Defendant Hulmes lied about Plaintiff selling drugs on April 20, 2011. Plaintiff alleges that Defendant Hulmes' false testimony led to Plaintiff's conviction and sentence of 3-8 years for Possession with intent to deliver a controlled substance (35 P.S. § 780-113(a)(30)) and other related sentences. On April 23, 2015, Defendant Hulmes was arrested and charged with perjury regarding the Rowland Criminal Matter. Consequentially, on May 14, 2015, Plaintiff's conviction was overturned.

2. Court Finds that Rowland Criminal Matter is Related and Places Matter in Suspense.

On January 13, 2016, this Honorable Court recognized the Rowland Criminal Matter's relation to Plaintiff's case and placed it in suspense. (Doc. 28). On April 20, 2016, this Honorable Court denied Plaintiff's request to remove the case from suspense. (Doc. 30). In opposition to Plaintiff's letter, Defendant Hulmes stated that the criminal matter was still pending and that engaging in discovery would be premature.

3. Defendant Hulmes Enters ARD: Rowland Criminal Matter is Now in Abeyance.

On June 17, 2016, Defendant Hulmes entered the ARD program. Ex. A. The ARD program is a pre-trial diversion program where first-time offenders can avoid jail time and qualify to have their arrest cleared from their criminal record. Participants must successfully complete all of the Court imposed conditions in order to resolve their criminal matter. If they violate any term or condition, they can be prosecuted and end up in the same position they were in prior to entering ARD: facing criminal charges and sanctions. Pa. R. Crim. P. 312-318. To successfully complete his ARD program and dispose of the Rowland Criminal Matter, Defendant

Hulmes must successfully complete 12 months of probation. The Pennsylvania Criminal Court System has noted the pending status of the Rowland Criminal Matter on its docket. It is marked as "open"; "not final"; and "awaiting completion of ARD Program." Ex. A, p. 1, 3 (Docket describing Defendant Hulmes' case as "Awaiting Completion of ARD Program"; "ARD County – Open"; and "NOT FINAL").

4. The Court *Sua Sponte* Removes Plaintiff's Lawsuit from Suspense, but Other Federal and State Civil Litigations Against Defendant Hulmes Remain in Civil Suspense.

On June 27, 2016, the Court *sua sponte* removed Plaintiff's lawsuit from suspense. (Doc. 31). Defendant Hulmes is a defendant in at least 2 other civil lawsuits currently filed in the Eastern District of Pennsylvania where the Rowland Criminal Matter is a related matter. Defendant Hulmes also has two related civil lawsuits in Court of Common Pleas in Philadelphia, which also have been placed in suspense. Only this matter has been removed from civil suspense after June 17, 2016. Ex. B (Orders staying and placing the following cases in suspense: *Miller v. City of Philadelphia and Officer Hulmes*, 15-03533 (E.D. Pa., the Honorable Eduardo Robreno); *Scott v. Christopher Hulmes*, 15-05623 (E.D. Pa., the Honorable Darnell Jones); *Sanjurjo & Martinez v. Officer Christopher Hulmes, et al.*, 15-05529 (E.D. Pa., the Honorable William Ditter); *Amron Brown v. Hulmes, et al.* 160102080 (Phila. Court of Common Pleas, Judge Arnold New); *Megan Marcolongo v. Hulmes et al.*, 1602004019 (Phila. Court of Common Pleas, Judge Arnold New)).

III. LEGAL ARGUMENT

1. Six Factors to Apply to Motion For Stay.

In evaluating a motion to stay, the following factors are considered:

> (1) the extent to which the issues in the civil and criminal cases overlap;
> (2) the status of the criminal proceedings;

> (3) plaintiff's interests in expeditious civil proceedings weighed against the prejudice to the plaintiff caused by the delay;
> (4) the burden on the defendants;
> (5) the interests of the court; and
> (6) the public interest.

In re Adelphia Communc'ns. Secs. Litig., 2003 U.S. Dist. LEXIS 9736, at *2 (E.D. Pa. May 23, 2013); *see also Galietti v. Greatwide Dedicated Transp. LLC*, 2016 U.S. Dist. LEXIS 35018, at *3 (M.D. Pa. Mar. 17, 2016) (citing *Barker v. Kane*, 2016 U.S. Dist. LEXIS 26850, at * 4 (M.D. Pa. Mar. 3, 2016)).

2. Status of the Criminal Proceedings: The Rowland Criminal Matter Remains Open.

Defendant Hulmes' Motion to Stay should be granted because the Rowland Criminal Matter remains open. Defendant Hulmes' acceptance into the ARD program *postponed* the disposition of the Rowland Criminal Matter until June 18, 2017, the end of his twelve month probation. His acceptance into ARD does not resolve or dispose of the matter. Ex. A, p. 1, 3 (Docket describing Defendant Hulmes' case as "Awaiting Completion of ARD"; "ARD County – open"; and "NOT FINAL"). Under the ARD program, "criminal proceedings are held in *abeyance* pending successful completion of the program or revocation for violation of the conditions." *Commonwealth v. Lutz*, 508 Pa. 297, 303, 495 A.2d 928, 931 (1985); Pa. R. Crim. P. 312-318. If Defendant Hulmes violates the conditions of his ARD, the Philadelphia District Attorney's Office may continue his prosecution. Pa. R. Crim. P. 318[1]; *Davis v. Chubb/Pac.*

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[1] Pa. R. Crim. P.318 reads:

> **(A)** If the attorney for the Commonwealth files a motion alleging that the defendant during the period of the program has violated a condition thereof, or objects to the defendant's request for an order of discharge, the judge who entered the order for ARD may issue such process as is necessary to bring the defendant before the court
>
> **(B)** A motion alleging such violation filed pursuant to paragraph (A) must be filed during the period of the program or, if filed thereafter, must be filed within a reasonable time after the alleged violation was committed.

Indem. Grp., 493 F. Supp. 89, 91-92 (E.D. Pa. 1980) (outlining ARD program and consequences). "[A] failure to comply may place the *defendant in the same position* on the criminal justice track that [he] occupied before the A.R.D. disposition." *Davis*, 493 F. Supp. at 91-92 (emphasis added).

Currently, six weeks into Defendant Hulmes' twelve month probation in the ARD program, the District Attorney's Office has not relinquished it's prosecution of the Rowland Criminal Matter. *Commonwealth v. Lutz*, 508 Pa. 297, 303, 495 A.2d 928, 931 (1985). While in the ARD program, Defendant Hulmes' behavior and compliance are being monitored. Defendant Hulmes continues to face prosecution until he successfully completes the twelve months probation under the ARD program. Thus, the prosecution of the Rowland Criminal Matter is still pending and has not been resolved. Ex. A; *In re Adelphia*, 2003 U.S. Dist. LEXIS 9736, at *8 ("If criminal indictments are returned against the civil defendants, then a court should strongly consider staying the civil proceedings until the related criminal proceedings are *resolved*." (internal citations omitted)); *Wallace v. Gen. Elec. Co.*, Civil Action No. 87-1236, 1989 U.S. Dist. LEXIS 1604, at *3-4 (E.D. Pa. Feb. 16, 1989) (granting District Attorney's Office motion to stay civil proceedings where both involved substantial matters of the same nature). After Defendant Hulmes successfully completes his ARD program, Defendant Hulmes will request this Honorable Court to remove this matter from the suspense list. Thus, this factor favors granting Defendant Hulmes' motion to stay.

(C) When the defendant is brought before the court, the judge shall afford the defendant an opportunity to be heard. If the judge finds that the defendant has committed a violation of a condition of the program, the judge may order, when appropriate, that the program be terminated, and that the attorney for the Commonwealth shall proceed on the charges as provided by law. No appeal shall be allowed from such order.

3. **Similarity of Issues: Plaintiff's Allegations and Defendant Hulmes' Criminal Charges Overlap.**

The overlap between the civil and criminal cases is the "threshold issue." *In re Adelphia Commcn's Sec. Litig. No.*, 2003 U.S. Dist. LEXIS 9736, at *8. Here, the Court recognized the overlap between the two cases and placed the matter in suspense. (Doc. 28). The similarity and overlap is significant and favors granting Defendant Hulmes' motion to stay Plaintiff's civil litigation. *Galietti*, 2016 U.S. Dist. LEXIS 35018 at *4-5.

4. **Burden on Defendants: If Motion Denied, Defendant Hulmes Would be Burdened with Responding to Self-Incriminating Questions During Civil Discovery.**

The Fifth Amendment of the United States Constitution protects Defendant Hulmes against self-incrimination. The privilege protects compulsion to testify against oneself in all criminal or civil proceedings when the responses could incriminate in future criminal proceedings. *In re Adelphia Commcn's Sec. Litig. No.*, 2003 U.S. Dist. LEXIS 9736, at *8-10. Defendant Hulmes' criminal matter is not complete until he successfully completes the ARD program. Before completing the ARD program, the Rowland Criminal Matter remains in abeyance as any violation would lead to the District Attorney's Office prosecution of him. Consequentially, Defendant Hulmes still faces potential hearings regarding the Rowland Criminal Matter. He would, thus, suffer irreparable injury without the requested stay, because he would be subject to questions during depositions, discovery requests, etc., that could incriminate him or impede his defense against the criminal charges that are still in abeyance. Thus, this factor also favors this Court granting Defendant Hulmes' motion to stay. *Id.*

5. **Interests of the Court and Public: Motion to Stay Should be Granted**

Simultaneous cases present the potential of duplication of judicial effort. A stay will facilitate convenience to the court and judicial economy because it will eliminate the possibility of judicial duplication in this matter. The issuance of a stay will not result in prejudice nor adversely affect the public's interest or any non-party's interests. *E.g.*, Ex. B (orders showing that other federal and state civil litigations are stayed until Defendant Hulmes' criminal matter is resolved).

IV. RELIEF

WHEREFORE, for the foregoing reasons, Defendant Hulmes respectfully requests that this Honorable Court enter an Order in the form attached granting his Motion to Stay and place instant action back into suspense.

Respectfully submitted,

MARSHALL, DENNEHEY, WARNER, COLEMAN & GOGGIN

BY:____________________________
JOHN P. GONZALES, ESQ.
Attorney for Defendant
Police Officer Hulmes

Dated: August 2, 2016

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GILBERT NARVAEZ v. CITY OF PHILADELPHIA and OFFICER CHRISTOPHER HULMES	: CIVIL ACTION NO. 15-cv-01471 : **JURY TRIAL DEMANDED**

CERTIFICATE OF SERVICE

I, JOHN P. GONZALES, ESQUIRE, do hereby certify that a true and correct copy of Defendant, Officer Christopher Hulmes' Motion to Stay and Memorandum of Law were electronically filed with the Court on August 2, 2016 and is available for viewing and downloading from the ECF System. All counsel of record were served via electronic notification.

MARSHALL DENNEHEY WARNER COLEMAN & GOGGIN

By: ______________________
JOHN P. GONZALES, ESQUIRE
Attorney I.D.# 71265
2000 Market Street, Suite 2300
Philadelphia, PA 19103
Office: (215) 575-2871
Fax: (215) 575-0856
E-mail:jpgonzales@mdwcg.com

Attorney for Defendant, Officer Christopher Hulmes

Date: August 2, 2016

EXHIBIT A

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009937-2015

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Christopher Hulmes

CASE INFORMATION

Judge Assigned: Palumbo, Frank
Date Filed: 10/05/2015
Initiation Date: 10/05/2015
OTN: N 960302-0
LOTN:
Originating Docket No: MC-51-CR-0012366-2015
Initial Issuing Authority: William Austin Meehan Jr.
Final Issuing Authority:
Arresting Agency: Philadelphia Pd
Arresting Officer: Bullick, Christopher M.
Complaint/Incident #: 1506017602-0012366

Case Local Number Type(s)	Case Local Number(s)
Originating Docket Number	MC-51-CR-0012366-2015
District Control Number	1506017602
Originating Document Number	1506017602-0012366

STATUS INFORMATION

Case Status: Adjudicated

Arrest Date: 04/23/2015

Status Date	Processing Status
06/17/2016	Awaiting Completion of ARD Program
10/23/2015	Awaiting Pre-Trial Conference
10/14/2015	Awaiting Formal Arraignment
10/05/2015	Awaiting Filing of Information

Complaint Date: 04/23/2015

CALENDAR EVENTS

Case Calendar Event Type	Schedule Start Date	Start Time	Room	Judge Name	Schedule Status
Formal Arraignment	10/23/2015	11:00 am	1104	Vincent G. Petri	Scheduled
Pre-Trial Conference	11/19/2015	9:00 am	905	Judge Frank Palumbo	Scheduled
Pretrial Bring Back	01/07/2016	9:00 am	905	Judge Frank Palumbo	Scheduled
Pretrial Bring Back	02/11/2016	9:00 am	905	Judge Scott DiClaudio	Scheduled
Pretrial Bring Back	04/07/2016	9:00 am	905	Judge Scott DiClaudio	Scheduled
Pretrial Bring Back	05/19/2016	9:00 am	905	Judge Scott DiClaudio	Continued
Pretrial Bring Back	06/02/2016	9:00 am	905	Judge Scott DiClaudio	Scheduled
Status	06/17/2016	10:00 am	803	Judge Patrick F. Dugan	Scheduled

DEFENDANT INFORMATION

Date Of Birth: 05/09/1972
City/State/Zip: Kutztown,, PA 19530

CASE PARTICIPANTS

Participant Type	Name
Defendant	Hulmes, Christopher
Probation Officer	Lucas, Stanley

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BAIL INFORMATION

Hulmes, Christopher

Nebbia Status: None

Bail Action	Date	Bail Type	Percentage	Amount	Bail Posting Status	Posting Date
Set	04/23/2015	Unsecured		$50,000.00		

CHARGES

Seq.	Orig Seq.	Grade	Statute	Statute Description	Offense Dt.	OTN
1	1		18 § 4902	Perjury	05/26/2010	N 960302-0
2	7		18 § 4911	Tamper With Public Record/information	05/08/2010	N 960302-0
3	3		18 § 5101	Obstruct Admin Law/Other Govt Func	05/26/2010	N 960302-0
4	4		18 § 4903	False Swearing - Offic Proceed	05/26/2010	N 960302-0
5	8		18 § 4904	Unsworn Falsification to Authorities	05/08/2010	N 960302-0
6	9		18 § 4906	False Report - Falsely Incriminate Another	05/08/2010	N 960302-0
99999	5		18 § 4904	Unsworn Falsification to Authorities	05/26/2010	N 960302-0
99999	2		18 § 4911	Tamper With Public Record/information	05/26/2010	N 960302-0
99999	6		18 § 4906	False Report - Falsely Incriminate Another	05/26/2010	N 960302-0

DISPOSITION SENTENCING/PENALTIES

Disposition / Case Event / Sequence/Description / Sentencing Judge / Sentence/Diversion Program Type / Sentence Conditions	Disposition Date / Offense Disposition / Sentence Date / Incarceration/Diversionary Period	Final Disposition / Grade / Section / Credit For Time Served / Start Date
Lower Court Proceeding (generic)		
Preliminary Hearing	10/02/2015	Not Final
1 / Perjury	Held for Court	18 § 4902 §§ A
3 / Obstruct Admin Law/Other Govt Func	Held for Court	18 § 5101
4 / False Swearing - Offic Proceed	Held for Court	18 § 4903 §§ A1
99,999 / False Report - Falsely Incriminate Another	Held for Court	18 § 4906 §§ A
99,999 / Tamper With Public Record/information	Held for Court	18 § 4911 §§ A1
99,999 / Unsworn Falsification to Authorities	Held for Court	18 § 4904 §§ A1
Proceed to Court Defendant Was Not Present		
Information Filed	10/14/2015	Not Final
1 / Perjury	Held for Court	18 § 4902 §§ A
2 / Tamper With Public Record/information	Replacement by Information	18 § 4911 §§ A1
3 / Obstruct Admin Law/Other Govt Func	Held for Court	18 § 5101
4 / False Swearing - Offic Proceed	Held for Court	18 § 4903 §§ A1
5 / Unsworn Falsification to Authorities	Replacement by Information	18 § 4904 §§ A1

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COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

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Christopher Hulmes

DISPOSITION SENTENCING/PENALTIES

Disposition
Case Event — Disposition Date — Final Disposition
Sequence/Description — Offense Disposition — Grade — Section
Sentencing Judge — Sentence Date — Credit For Time Served
Sentence/Diversion Program Type — Incarceration/Diversionary Period — Start Date
Sentence Conditions

Sequence/Description	Offense Disposition	Grade	Section
6 / False Report - Falsely Incriminate Another	Replacement by Information		18 § 4906 §§ A
99,999 / False Report - Falsely Incriminate Another	Charge Changed		18 § 4906 §§ A

Replaced by 18 § 4906 §§ A, False Report - Falsely Incriminate Another

Sequence/Description	Offense Disposition	Grade	Section
99,999 / Tamper With Public Record/information	Charge Changed		18 § 4911 §§ A1

Replaced by 18 § 4911 §§ A1, Tamper With Public Record/information

Sequence/Description	Offense Disposition	Grade	Section
99,999 / Unsworn Falsification to Authorities	Charge Changed		18 § 4904 §§ A1

Replaced by 18 § 4904 §§ A1, Unsworn Falsification to Authorities

ARD - County Open

Status — 06/17/2016 — Not Final

1 / Perjury — ARD - County — 18 § 4902 §§ A
Dugan, Patrick F. — 06/17/2016
ARD — 12.00 Months — 06/17/2016
Supervision Fee - Pay Supervision Fee of $25 a month.

2 / Tamper With Public Record/information — ARD - County — 18 § 4911 §§ A1
Dugan, Patrick F. — 06/17/2016
ARD — 12.00 Months — 06/17/2016

3 / Obstruct Admin Law/Other Govt Func — ARD - County — 18 § 5101
Dugan, Patrick F. — 06/17/2016
ARD — 12.00 Months — 06/17/2016

4 / False Swearing - Offic Proceed — ARD - County — 18 § 4903 §§ A1
Dugan, Patrick F. — 06/17/2016
ARD — 12.00 Months — 06/17/2016

5 / Unsworn Falsification to Authorities — ARD - County — 18 § 4904 §§ A1
Dugan, Patrick F. — 06/17/2016
ARD — 12.00 Months — 06/17/2016

6 / False Report - Falsely Incriminate Another — ARD - County — 18 § 4906 §§ A
Dugan, Patrick F. — 06/17/2016
ARD — 12.00 Months — 06/17/2016

99,999 / False Report - Falsely Incriminate Another — Charge Changed — 18 § 4906 §§ A
Replaced by 18 § 4906 §§ A, False Report - Falsely Incriminate Another
Dugan, Patrick F. — 06/17/2016

99,999 / Tamper With Public Record/information — Charge Changed — 18 § 4911 §§ A1

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CRIMINAL DOCKET

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Commonwealth of Pennsylvania
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DISPOSITION SENTENCING/PENALTIES

Disposition
Case Event — Disposition Date — Final Disposition
Sequence/Description — Offense Disposition — Grade — Section
Sentencing Judge — Sentence Date — Credit For Time Served
Sentence/Diversion Program Type — Incarceration/Diversionary Period — Start Date
Sentence Conditions

Replaced by 18 § 4911 §§ A1, Tamper With Public Record/information
Dugan, Patrick F. — 06/17/2016
99,999 / Unsworn Falsification to Authorities — Charge Changed — 18 § 4904 §§ A1
Replaced by 18 § 4904 §§ A1, Unsworn Falsification to Authorities
Dugan, Patrick F. — 06/17/2016

COMMONWEALTH INFORMATION

Name: Philadelphia County District Attorney's Office
Prosecutor

Supreme Court No:

Phone Number(s):
215-686-8000 (Phone)

Address:
3 South Penn Square
Philadelphia, PA 19107

ATTORNEY INFORMATION

Name: Brian J. McMonagle
Private

Supreme Court No: 042394

Rep. Status: Active

Phone Number(s):
215-981-0999 (Phone)

Address:
Mcmonagle Perri ET AL
1845 Walnut St Fl 19
Philadelphia, PA 19103

Representing: Hulmes, Christopher

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
1	10/05/2015		Court of Common Pleas - Philadelphia County
Held for Court			
1	10/08/2015		McMonagle, Brian J.
Waiver of Appearance at Arraignment			
1	10/13/2015		McMonagle, Brian J.
Waiver of Appearance at Arraignment Waiver of Appearance at Arraignment filed on behalf of *.			
1	10/14/2015		Williams, R Seth
Information Filed			

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ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
3	10/23/2015		Court of Common Pleas - Philadelphia County
Hearing Notice			
4	10/23/2015		Court of Common Pleas - Philadelphia County
Hearing Notice			
2	11/19/2015		Court of Common Pleas - Philadelphia County
Hearing Notice			
3	11/19/2015		Palumbo, Frank
Order Granting Motion for Continuance DEFENSE REQUEST FOR FURTHER INVESTIGATION. TIME IS RULED EXCLUDABLE. NEXT COURT DATE 1/7/16 IN ROOM 905. JUDGE FRANK PALUMBO, ADA TERRI DOMSKY, ATTY. BRIAN MCMONAGLE, COURT CLERK ERIN WATERS			
2	01/07/2016		Court of Common Pleas - Philadelphia County
Hearing Notice			
3	01/07/2016		Palumbo, Frank
Order Granting Motion for Continuance DEFENSE REQUEST FOR FURTHER INVESTIGATION. LIST FOR STATUS OF DEFENSE INVESTIGATION. TIME IS RULED EXCLUDABLE. NEXT COURT DATE 2/11/16 IN ROOM 905. JUDGE FRANK PALUMBO, ADA TERRI DOMSKI, ATTY. BRIAN MCMONAGLE, COURT CLERK ERIN WATERS			
2	02/11/2016		Court of Common Pleas - Philadelphia County
Hearing Notice			

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COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009937-2015

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
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Christopher Hulmes

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
3	02/11/2016		DiClaudio, Scott

Order Granting Motion for Continuance

PRETRIAL BRING BACK
Bring back
Further investigation by agreement late date given
Defendant not present, bench warrant nunc pro tunc
Next court date 4.7.16 room #905 time ruled excludable
Defense attorney accepted service for defendant

Judge: Scott Diclaudio; ADA: Domsky; Attorney: McMonagle; DRT: Waters; Clerk: Hancock

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Sequence Number	CP Filed Date	Document Date	Filed By
2	04/07/2016		Court of Common Pleas - Philadelphia County

Hearing Notice

Sequence Number	CP Filed Date	Document Date	Filed By
3	04/07/2016		DiClaudio, Scott

Motion for Continuance Defense Request

JUDGE: SCOTT DICLAUDIO, ADA: TERRI DOMSKY, DEF ATTY: BRIAN McMONAGLE, DRT: TABITHA ABNEY, CT CLERK: WANDA CHAVARRIA

DEFENSE REQUEST FOR FURTHER NEGOTIATION. ATTORNEY PERMITTED TO ACCEPT SERVICE TODAY BY AGREEMENT. TIME EXCLUDABLE. NCD 5/19/2016, ROOM 905.

(Bail)

Sequence Number	CP Filed Date	Document Date	Filed By
3	05/19/2016		Court of Common Pleas - Philadelphia County

Hearing Notice

Sequence Number	CP Filed Date	Document Date	Filed By
4	05/19/2016		DiClaudio, Scott

Motion for Continuance Defense Request

JUDGE: SCOTT DICLAUDIO, ADA: TERRI DOMSKY, DEF ATTY: BRIAN McMONAGLE, DRT: TABITHA ABNEY, CT CLERK: WANDA CHAVARRIA

DEFENSE REQUEST FOR FURTHER NEGOTIATIONS. FINAL BRING BACK. TIME EXCLUDABLE. ATTORNEY PERMITTED TO ACCEPT SERVICE TODAY. NCD 6/2/2016, ROOM 905.

(Bail)

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009937-2015

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Christopher Hulmes

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
2	06/02/2016		Court of Common Pleas - Philadelphia County

Hearing Notice

Sequence Number	CP Filed Date	Document Date	Filed By
3	06/02/2016		DiClaudio, Scott

Motion for Continuance Defense Request

JUDGE: SCOTT DICLAUDIO, ADA: TERRI DOMSKY, DEF ATTY: BRIAN McMONAGEL, DRT: ROLAND ANSELMO, CT CLERK: WANDA CHAVARRIA

ARD APPROVED, NCD 6/17/2016, ROOM 803 AT 10 AM.

(Bail)

Sequence Number	CP Filed Date	Document Date	Filed By
1	06/17/2016		Dugan, Patrick F.

Order Granting Motion to Admit Defendant into ARD Program

ADA: TERRY DOMSKI, DEFENSE ATTORNEY: BRIAN McMONAGLE, CLERK: GARY COPESTAKE, JUDGE: DUGAN

Sequence Number	CP Filed Date	Document Date	Filed By
2	06/17/2016		Dugan, Patrick F.

ARD Penalties Imposed

ADA: TERRY DOMSKI, DEFENSE ATTORNEY: BRIAN McMONAGLE, CLERK: GARY COPESTAKE, JUDGE: DUGAN

Sequence Number	CP Filed Date	Document Date	Filed By
3	06/17/2016		Court of Common Pleas - Philadelphia County

Penalty Assessed

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COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009937-2015

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Christopher Hulmes

CASE FINANCIAL INFORMATION

Last Payment Date: Total of Last Payment:

Hulmes, Christopher
Defendant

	Assessment	Payments	Adjustments	Non Monetary Payments	Total
Costs/Fees					
Booking Center Fee (Philadelphia)	$175.00	$0.00	$0.00	$0.00	$175.00
CQS Fee Felony (Philadelphia)	$100.00	$0.00	$0.00	$0.00	$100.00
Commonwealth Cost - HB627 (Act 167 of 1992)	$20.30	$0.00	$0.00	$0.00	$20.30
Costs of Prosecution - CJEA	$50.00	$0.00	$0.00	$0.00	$50.00
County Court Cost (Act 204 of 1976)	$29.65	$0.00	$0.00	$0.00	$29.65
Firearm Education and Training Fund	$5.00	$0.00	$0.00	$0.00	$5.00
State Court Costs (Act 204 of 1976)	$13.55	$0.00	$0.00	$0.00	$13.55
Victim Witness Service (Act 111 of 1998)	$25.00	$0.00	$0.00	$0.00	$25.00
OSP (Philadelphia/State) (Act 35 of 1991)	$150.00	$0.00	$0.00	$0.00	$150.00
OSP (Philadelphia/State) (Act 35 of 1991)	$150.00	$0.00	$0.00	$0.00	$150.00
Costs/Fees Totals:	$718.50	$0.00	$0.00	$0.00	$718.50
Grand Totals:	$718.50	$0.00	$0.00	$0.00	$718.50

** - Indicates assessment is subrogated

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EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GLENWOOD MILLER, Plaintiff, v. CITY OF PHILADELPHIA, et al., Defendant.	:	CIVIL ACTION NO. 15-3533

O R D E R

AND NOW, this **13th** day of **January, 2016**, following an initial pretrial conference with counsel for the parties, it is hereby **ORDERED** that:

1. All attorneys appearing before Judge Robreno must be registered on ECF. All official filings submitted to the Clerk of Court must be filed directly by the attorney on to ECF. All orders, opinions, and other docket entries generated from chambers will likewise be filed directly on to ECF. Notice of these chamber entries will be communicated to counsel either by ECF or ordinary mail.

2. All parties shall complete their initial disclosures by **February 12, 2016**.

3. No further discovery shall occur without leave of Court.

4. The matter is **STAYED** and **PLACED IN SUSPENSE** until further order of the Court.

5. Once Defendant Hulmes's criminal matter is resolved in the state court, Plaintiff shall bring it to the Court's attention.

AND IT IS SO ORDERED.

/s/ Eduardo C. Robreno
EDUARDO C. ROBRENO, J.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AIKEEM SCOTT and DAVID VELEZ Plaintiffs,	:	
v.	:	CIVIL ACTION NO. 15-5623
CHRISTOPHER HULMES *Officer (Badge #7548)* and THE CITY OF PHILADELPHIA Defendants.	: :	

ORDER

AND NOW, this 3rd day of March, 2016, it is hereby ORDERED that the Clerk of Court shall place this matter in SUSPENSE status and mark same CLOSED for statistical purposes.[1] The court shall retain jurisdiction and the case shall be restored to the trial docket when the action is in a status so that it may proceed to final disposition. This Order shall not prejudice the rights of the parties to this litigation.

BY THE COURT:

/s/ C. Darnell Jones, II J.

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[1] As a result of criminal charges currently pending against Defendant Hulmes in the Philadelphia Court of Common Pleas, the parties have requested that the above-captioned matter be placed in Suspense status.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DANIEL SANJURJO JUNIOR A. MARTINEZ v. OFFICER CHRISTOPHER HULMES (Badge #7548)	: : : : : : :	CIVIL ACTION NO. 15-5529

O R D E R

AND NOW, this 28th day of January, 2016, it is hereby ORDERED as follows:

1. The joint request of counsel to place this case in civil suspense pending the related criminal trial of the defendant is GRANTED.

2. Counsel shall advise the Court, in writing, of the status of the criminal proceedings every 90 days.

3. The Clerk of Court is directed to place this case in civil suspense.

BY THE COURT:

/s/ J. William Ditter, Jr.

J. WILLIAM DITTER, JR., S.J.

FILED
24 MAY 2016 04:07 pm
Civil Administration
K. EDWARDS

AMRON BROWN	:	COURT OF COMMON PLEAS PHILADELPHIA COUNTY
vs.	:	JANUARY TERM, 2016
POLICE OFFICER HULMES, POLICE OFFICER BANNING, POLICE OFFICER BARTLE and POLICE OFFICER WATERS	:	NO.: 2080

ORDER

AND NOW, this 25th day of May, 2016, upon consideration of the within Motion for Stay of the Proceedings and any and all responses thereto, Defendant Hulmes' Motion For Stay of Civil Proceedings Brought by Plaintiff Amron Brown is GRANTED, and it is hereby ORDERED and DECREED that all proceedings in this action shall be stayed and that this action shall be placed on the Deferred List.

BY THE COURT:

__________________________ J.

DOCKETED
MAY 25 2016
J. EVERS
JUDICIAL RECORDS

Brown Vs Hulmes Etal-ORDST
16010208000031

Case ID: 160102080
Control No.: 16053145

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IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
CIVIL TRIAL DIVISION

MARCOLONGO	:	FEBRUARY TERM, 2016
v.	:	NO. 4019
HULMES, et al.	:	

ORDER

AND NOW, this 23rd day of May, 2016, upon consideration of the request by all parties to stay this matter pending the disposition of the criminal charges of Defendant, Christopher Hulmes, it is hereby **ORDERED and DECREED** that this matter is **STAYED** until the criminal charges against Christopher Hulmes are resolved.

BY THE COURT:

ARNOLD L. NEW, J.

Marcolongo Vs Hulmes Etal-ORDST

16020401900030

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